

REMARKS

Claims 1-9 are all the claims pending in the application. Claims 1-7 have been amended and claims 8-9 have been added.

I. Formalities

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority and confirming receipt of the certified copy of the priority document. However, Applicant respectfully requests the Examiner check boxes 12, 12(a) and 12(a)(1) on the Office Action Summary Sheet (PTO-L-326) of the next Office Action.

Applicant also thanks the Examiner for initialing and returning a copy of the SB/08 forms submitted with the Information Disclosure Statements filed on August 23, 2006 and December 14, 2006.

Applicant also respectfully requests the Examiner indicate that the drawings filed August 23, 2006 have been accepted in the next Office Action Summary Sheet.

Further, Applicant notes that the Examiner checked box 9 on the Office Action Summary Sheet indicating that the Examiner objected to the specification. Although the Examiner requested Applicant's assistance in determining the presence of minor errors in the specification, the Office Action contains no actual objections to the specification. As such, Applicant respectfully requests the Examiner state that the specification has not been objected to in the next Office Action.

II. Claim Objections

Applicant respectfully requests the Examiner withdraw the objections to claims 1-7 in view of the self-explanatory amendments presented above.

III. Claim Rejections Under 35 U.S.C. § 101

Claim 7 is rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicant respectfully requests the Examiner withdraw the rejection to claim 7 under 35 U.S.C. § 101 in view of the self-explanatory amendments presented above.

IV. Claim Rejection Under 35 U.S.C. § 102

Claims 1-7 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hayashi et al. (US 6598071 B1). Applicant respectfully traverses the rejection.

Applicant respectfully submits that Hayashi fails teach or suggest the following recitations of claim 1:

A network system comprising:
connection control means for controlling the
switching of the connection destination of a terminal;

. . .

server/network cooperation control means having a
storage unit for storing the information of the first
and second servers and the information of the second
network, and connected to the operating server-
switching control means and to the connection control
means,

wherein the server/network cooperation control
means comprises information processing means for
executing . . . processing for **receiving a target
process migration completion notification . . . and,
thereafter, sending a switching request** from the first
network to the second network **to the connection control
means, the switching request including the information
of the second network stored in the storage unit**

First, in the Office Action, the Examiner cited to two separate embodiments of the system of Hayashi, that of Figure 1 which includes the router shown in Figure 2 and that of Figure 6 which includes the router of Figure 4. However, these embodiments are exclusive of one another as the "function of dynamically handing over the group address by means of address conversion" is alternatively embodied in the server 101 in the embodiment of Figure 1 and 2 and in the router

109 in the embodiment of Figure 4 and 6. In other words, the router shown in Figure 4 and the server shown in Figure 2 performs the same function in the alternative embodiments of Hayashi. As such, the Examiner's citation to the router 109 of Figure 4 as teaching the connection control means and the server of Figure 2 as the server/network cooperation control means cannot teach or suggest the claimed invention.

Further, after a complete review of each embodiment of Hayashi, Applicant respectfully submits that Hayashi still cannot teach or suggest the above recitations of the claims. In particular, Applicant respectfully submits that Hayashi fails to teach or suggest the "the server/network cooperation control means comprises information processing means for executing . . . processing for receiving a target process migration completion notification . . . and, thereafter, sending a switching request from the first network to the second network to the connection control means, the switching request including the information of the second network".

In the embodiment of Figure 1, server 101 (i.e. controller 201) receives a completion packet indicating that handing over of the group address V1 to server 102 is complete (cited as the receipt of the target process migration completion notification). (Hayashi, Col. 8, Lns. 40-46). However, the only information sent by the server 101 after receiving the group address handover completion packet is a notification to the network routers that the server 101 is eliminating the group address as its own address. (Hayashi, Col. 8, Lns. 46-51). This notification does not contain any request for switching from network 103 to network 104, nor does it contain any information about the network 104 or even backup server 102. The processing by the server 101 is then complete. It is the backup server 102 itself, cited as the second server, that notifies the network routers that a system having a group address V1 is newly

available on the network. (Hayashi, Col. 8, Lns. 51-55). The second embodiment works in the same manner but for the router 109 performing the above described functions of server 101. Thus, Applicant respectfully submits Hayashi fails to teach or suggest “the server/network cooperation control means comprises information processing means for executing . . . processing for receiving a target process migration completion notification . . . and, thereafter, sending a switching request from the first network to the second network to the connection control means, the switching request including the information of the second network.”

Accordingly, Applicant respectfully submits that claim 1 is not anticipated under 35 U.S.C. § 102(e) by Hayashi, because the reference does not disclose all of the features and limitations of the claim. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1, and claim 2 at least by virtue of its dependency from claim 1.

Further, Applicant submits that independent claims 3 and 6-7 and dependant claims 4-5 are also patentable over Hayashi for at least similar reasons. As such, Applicant respectfully requests the Examiner withdraw the rejections of independent claims 3 and 6-7 and dependent claims 4 and 5.

V. New Claims

New claims 8-9 have been added. Applicant respectfully submits that these new claims are patentable over the prior art for at least similar reasons to those presented above regarding claim 1.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

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